

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KEITH GALLOWAY : CIVIL ACTION
 :
v. : No. 16-5809
 :
SUPERINTENDENT BARRY SMITH, et :
al. :

ORDER

AND NOW, this 13th day of November, 2017, upon careful consideration of Petitioner Keith Galloway's pro se Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus, the response thereto, and Petitioner's reply, and after independent review of the Report and Recommendation of United States Magistrate Judge Marilyn Heffley, to which no objections have been filed to date,¹ it is ORDERED:

1. The Report and Recommendation (Document 16) is APPROVED and ADOPTED;
2. Galloway's Petition for Writ of Habeas Corpus (Document 3) is DISMISSED as untimely;
3. Galloway having failed to show that jurists of reason would find it debatable whether his habeas petition is untimely, a certificate of appealability shall not issue; and
4. The Clerk of Court is directed to mark this case CLOSED.

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez, J.

¹ The Report and Recommendation was sent to all parties of record on October 20, 2017, together with a Notice from the Clerk of Court advising the parties of their obligation to file any objections within 14 days after service of the Notice. See Local R. Civ. P. 72.1 IV(b) ("Any party may object to a magistrate judge's proposed findings, recommendations or report under 28 U.S.C. § 636(b)(1)(B), and subsections 1(c) and (d) of this Rule within fourteen (14) days after being served with a copy thereof."). As of today's date, no objections have been filed.

